



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON TRANSPORT, WORKS AND SUPPLY

ON THE

CIVIL AVIATION AUTHORITY (AMENDMENT) BILL, N.A.B. NO. 4 OF 2026

FOR THE

FIFTH SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

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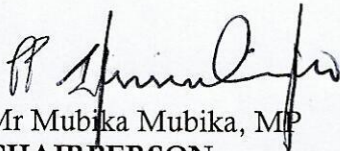
FOREWORD

Honourable Madam Speaker, the Committee on Transport, Works and Supply has the honour to present its Report on the Civil Aviation Authority (Amendment) Bill N.A.B. No 4 of 2026, for the Fifth Session of the Thirteenth National Assembly. The functions of the Committee are set out under Standing Orders 206(n) and 207(j) of the National Assembly of Zambia Standing Orders, 2024.

The Committee held nine (9) meetings to consider the Bill. In order to gain insight into the ramifications of the Bill, the Committee sought both written and oral submissions from various stakeholders, the list of stakeholders is at Appendix II of the Report.

The Report is in three Parts. Part I contains the salient provisions of the Bill; Part II highlights concerns raised by stakeholders; while Part III contains the Committee's observations and recommendations.

The Committee wishes to pay tribute to all stakeholders who appeared before it and tendered both oral and written submissions. It further wishes to thank you, Madam Speaker, for affording it an opportunity to study the Civil Aviation Authority (Amendment) Bill N.A.B. No 4 of 2026. The Committee also appreciates the services rendered by the Office of the Clerk during its deliberations.



Mr Mubika Mubika, MP
CHAIRPERSON

May, 2026
LUSAKA

TABLE OF CONTENTS

Item	Page
Foreword	i
Membership of the Committee	1
Background	1
Objects of the Bill	1
Salient Provisions of the Bill	1
Concerns Raised by Stakeholders	3
Committee's Observations and Recommendations	3
Conclusion	4
Appendix I - List of National Assembly Official	5
Appendix II - List of Witnesses	6

1.0 MEMBERSHIP OF THE COMMITTEE

The Committee consisted of Mr Mubika Mubika, MP (Chairperson); Mr Joel Chibuye, MP, (Vice Chairperson); Mr Bright Nundwe, MP; Mr Lloyd Lubozha, MP; Mr Emmanuel M Musonda, MP; Mr Mutotwe Kafwaya, MP; Mr Sunday Chanda, MP; Mr Francis Kapyanga, MP; Mr Bernard Kanengo, MP; and Mr Charles Mulenga, MP.

2.0 BACKGROUND

The Bill seeks to amend the *Civil Aviation Authority Act, Chapter. 445 of the Laws of Zambia*, in order to strengthen Zambia’s civil aviation security oversight by complying with the Chicago Convention Standards and Recommended Practices of the International Civil Aviation Organisation.

Currently, the Civil Aviation Authority Act, is inadequate in addressing certain aspects of civil aviation security oversight, particularly in relation to the safety of passengers; crew; ground personnel; and the general public. This inadequacy puts Zambia at risk of being flagged with significant security concerns during the upcoming Universal Security Audit Programme-Continuous Monitoring Approach, which may result in severe consequences for the aviation sector.

The Bill, once enacted, will enhance Zambia’s civil aviation security by increasing the Civil Aviation Authority’s oversight by issuance of regulatory orders; notices; directives; circulars; guidelines; or requirements in line with the Chicago Convention and International Civil Aviation Organisation Standards and Recommended practices. The Bill will also prevent Zambia from scoring a poor Effective Implementation Rate during the Universal Security Audit Programme's Continuous Monitoring Approach, scheduled for 2026.

3.0 OBJECTS OF THE BILL

The objects of the Bill are to:

- i) revise the composition of the Board of the Authority;
- ii) enhance civil aviation security;
- iii) provide for the establishment of an Advance Passenger Information System; and
- iv) provide for matters connected with, or incidental to, the foregoing.

PART I

4.0 SALIENT PROVISIONS OF THE BILL

The salient provisions of the Bill are as set out hereunder.

Clause 1 - Short title

The clause provides for the citation of the Act, once enacted.

Clause 2 - Amendment of section 2

This clause proposes to amend section 2 of the principal Act by introducing additional definitions, including “acts of unlawful interference”, “advance passenger information”, “Advance Passenger Information System”, “civil aviation security”, “facilitation”,

“National Civil Aviation Security Committee”, “passenger name record”, and “regulated agent”. These definitions will apply once the Bill is enacted and are intended to enhance clarity and improve understanding of the law for both the public and those responsible for implementing it.

Clause 3 - Amendment of section 4

This clause seeks to expand the functions of the Civil Aviation Authority (hereinafter referred to as “the Authority”) by including the responsibility to ensure compliance with, and enforcement of, national civil aviation security policies and the Zambia Civil Aviation Requirements, particularly where deficiencies are identified during regulatory activities.

Clause 4 - Amendment of section 5

This clause aims at revising the composition of the Board in order to enhance the involvement of the private sector and other non-state actors within the civil aviation sector.

Clause 5 - Amendment of section 14

This clause seeks to harmonise section 14 with other provisions of the Act, particularly in relation to the granting of exemptions.

Clause 6 - Amendment of section 19

Clause 6 mandates the Authority, subject to the approval of the Minister, to develop national civil aviation security policies, strategies, programmes, and the Zambia Civil Aviation Requirements in line with international standards. It further empowers the Authority to issue orders, notices, circulars, or directives to implement urgent aviation security measures and to oversee the implementation of national security frameworks. Additionally, the clause requires the Authority to develop and implement a national air transport facilitation programme and stipulates that all national programmes must be documented in writing.

Clause 7 - Insertion of section 19A

This clause introduces a new provision outlining the primary objective of the Authority in regulating civil aviation, which is to ensure the safety of passengers, crew, ground personnel, and the general public, while prioritising civil aviation security in all decision-making processes.

Clause 8 - Amendment of section 20

Clause 8 provides clarity on security surveys by requiring the Authority to conduct annual risk assessments to identify potential threats and security needs within civil aviation.

Clause 9 - Insertion of sections 33A, 33B, and 33C

This clause establishes an Advance Passenger Information System in collaboration with the Immigration Department to enhance security and law enforcement. It also requires the Authority to identify and utilise passenger name record information to safeguard civil aviation against unlawful interference, in accordance with relevant laws. Furthermore, the clause empowers the Director-General to issue directives, guidelines, and procedures relating to advance passenger information systems and passenger data management.

Clause 10 - Amendment of section 63

This clause strengthens the Authority’s monitoring and enforcement capabilities by granting authorised officers’ power to access aircraft, airports, or relevant premises, and to examine security documents and operational records.

Clause 11 - Insertion of section 64A

Clause 11 introduces a new provision empowering authorised officers to issue notices of deficiencies, recommend corrective actions, and enforce compliance with the Zambia Civil Aviation Requirements and applicable national programmes.

PART II

5.0 CONCERNS RAISED BY STAKEHOLDERS

All stakeholders who appeared before the Committee supported the Bill, but in doing so, they also raised a few concerns.

i) Implementation and Capacity Risks

Stakeholders were of the view that successful implementation of the Advance Passenger Information System and Passenger Name Record systems required significant technical capacity, inter-agency coordination, and sustained funding. However, the Bill in its current state had not directly addressed issues relating to Advance Passenger Information System and Passenger Name Record Systems.

ii) Clause 5 - Amendment of Section 14: Exemptions

The Committee was informed that the amendment introduced increased flexibility by removing the previous limitation on the Director-General's authority to grant exemptions. While acknowledging that such flexibility could support regulatory responsiveness in the public interest, stakeholders were of the view that the provision could pose risks such as arbitrary decision-making; inconsistency; reduced transparency; and the potential weakening of safety and security standards, if not supported by clear safeguards.

iii) Clause 9 - Insertion of Sections 33A, 33B and 33C

Stakeholders welcomed the introduction of Sections 33A, 33B and 33C, which, if enacted, would address a significant legislative gap by establishing the Advance Passenger Information System, as well as providing a statutory framework for collection; processing; protection; use; and disclosure of advance passenger information and passenger name records. While the amendment strengthened security; border control; risk analysis; and inter-agency coordination, stakeholders argued that this provision raised concerns relating to privacy, data governance, and operational capacity.

PART III

6.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

The Committee notes that all stakeholders who appeared before it were in support of the Bill. Having interacted with the various stakeholders, the Committee resolves to support the Bill. In supporting the Bill, however, the Committee makes observations and recommendations outlined below.

i) Inadequate Alignment with Data Protection Framework

The Committee observes that, although the Bill provides for the collection and use of passenger data, it does not expressly align with or cross-reference the *Data Protection Act, No. 3 of 2021*. As a result, key safeguards relating to data retention periods, independent oversight, and available remedies for data subjects are not clearly articulated. This

omission may create uncertainty regarding the protection, storage, and lawful use of personal data.

In this regard, the Committee recommends that the Bill be revised to expressly incorporate and align with the provisions of the *Data Protection Act, No. 3 of 2021*. In particular, the Bill should clearly provide for data retention limits, oversight mechanisms, and accessible remedies for affected individuals to ensure adequate protection of passenger information.

ii) Implementation and Institutional Capacity Constraints

The Committee observes that the effective implementation of the Advance Passenger Information System and Passenger Name Record System, will require substantial technical expertise, strong inter-agency coordination, and sustained financial resources. However, the Bill does not adequately address these critical implementation requirements, which may hinder operational effectiveness.

In view of this, the Committee recommends that the Executive should develop and support a clear implementation framework that outlines capacity-building measures, institutional roles and sustainable funding arrangements. This will ensure the efficient and effective operationalisation of the systems envisaged under the Bill.

iii) Amendment of Section 14: Exemptions

The Committee observes that under clause 5, the amendment of section 14 of the principal Act introduces greater flexibility by removing the previous restriction on the Director-General's power to grant exemptions. While such flexibility may be useful where the public interest requires regulatory responsiveness, the amendment also carries risks of arbitrary decision-making, inconsistency, and reduced transparency, if it is not accompanied by clear safeguards.

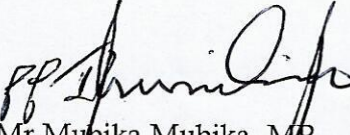
In view of the foregoing, the Committee recommends that the Bill should include clear procedural safeguards and limitations governing the exercise of the exemption power, including defined criteria so as to ensure accountability, transparency, and consistency.

7.0 CONCLUSION

The Committee supports the Bill and notes that the Civil Aviation Authority (Amendment) Bill, N.A.B. No. 4 of 2026, represents necessary and timely reforms to Zambia's civil aviation legal framework. The Bill seeks to strengthen civil aviation and regulatory oversight within the sector.

The Committee, however, urges the Executive to carefully consider stakeholders' submissions as highlighted in the report in order to strengthen the Bill.

We have the honour to be, Madam Speaker, the Committee on Transport, Works and Supply, mandated to consider the Civil Aviation Authority (Amendment) Bill, N.A.B. No. 4 of 2026.


Mr Mubika Mubika, MP
CHAIRPERSON

May, 2026
LUSAKA

APPENDIX I - List of National Assembly Officials

Mr Stephen Chiwota, Director (FC);
Mr Geoffrey Zulu, Deputy Director (FC);
Ms Chitalu R Mulenga, Senior Committee Clerk (FC2);
Mrs Rachel Mumba- Mhongo, Committee Clerk;
Mrs Vivian M Banda, Administrative Assistant;
Mr Daniel Lupiya, Senior Committee Assistant;
Mr Muyembi Kantumoya, Committee Assistant;
Ms Taona Chabinga, Committee Assistant;
Ms Dorothy Kapanji Daka, Intern

APPENDIX II - List of Witnesses

Ministry of Justice
Ministry of Home Affairs and Internal Security
Ministry of Transport and Logistics
Drug Enforcement Commission
Royal Air Charter
Policy Monitoring and Research Centre
Zambia Airways Limited
Zambia Law Development Commission
NAC 2000 Limited Corporation
Flight One Aviation
Zambia Air Services Training Institute
Proflight Zambia
Zambia Airports Corporation Limited
Zambia Civil Aviation Authority